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**BANK OF AMERICA, N.A.**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**BANK OF AMERICA, N.A., a national  
banking association,**

3 Petitioner,

4 || VS.

MICHELETTI FAMILY PARTNERSHIP,  
a California Limited Partnership, ARTHUR  
MICHELETTI, an individual, and JANICE  
MICHELETTI, an individual,

### **Respondents.**

CASE NO. CV 08-2902 JSW

**STIPULATION AND [PROPOSED]  
ORDER RE BRIEFING SCHEDULE ON  
BANK OF AMERICA'S MOTION FOR  
*DE NOVO* REVIEW**

(F. R. Civ. Proc., Rule 72(b); Local Rule 72-3; 28 U.S.C. § 636(b)(3))

Hearing Date: None  
Judge: Hon. Jeffrey S. White

Judgment entered: October 14, 2008

**WHEREAS**, the Court recently removed from its May 1, 2009 hearing calendar Bank of America's ("BofA's") motion for a *de novo* determination of its Objections to the Report of Recommendation of Magistrate Judge Larson ("Report"). This Court also set a briefing schedule by which Respondents' Opposition brief is due to be filed and served on March 27, 2009, and BofA's Reply brief is due to be filed and served on April 3, 2009.

**WHEREAS**, BofA's counsel, James B. Wright, is out of state on business from March 28, 2009, through April 1, 2009, and unavailable to prepare a Reply brief during his absence.

**NOW, THEREFORE**, counsel for BofA and counsel for Respondents have agreed to the following revised briefing schedule, subject to this Court's approval:

3                   April 2, 2009                   Respondents' Opposition brief due to be filed and served;  
4                   April 9, 2009                   BofA's Reply brief due to be filed and served.

**6 | SO STIPULATED:**

DATED: March 17, 2009

**BUCHALTER NEMER**  
A Professional Corporation

By: J. B. Wright  
JAMES B. WRIGHT  
Attorneys for Petitioner  
BANK OF AMERICA, N.A.

DATED: March 1, 2009

KERR & WAGSTAFFE LLP

By:   
JAMES M. WAGSTAFFE  
Attorneys For Respondents

**SO ORDERED:**

DATED: March 18, 2009

*Jeffrey S White*  
United States District Court Judge